

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:08-cr-13

v.

HON. JANET T. NEFF

ORLANDO BELL,

Defendant.

MEMORANDUM OPINION AND ORDER

Defendant Orlando Bell has filed a motion for modification or reduction of sentence (Dkt 174) pursuant to 18 U.S.C. §3582(c)(2) based on the modification of the Drug Quantity Table with respect to cocaine base (crack cocaine).

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 750 of the United States Sentencing Guidelines modified U.S.S.G. § 2D1.1, the Drug Quantity Table with regard to cocaine base (crack cocaine), and U.S.S.G. § 2D2.1(b). These modifications were made retroactive effective November 1, 2011. U.S.S.G. § 1B1.10(c).

IT IS HEREBY ORDERED that Defendant's motion for modification of sentence (Dkt 174) pursuant to 18 U.S.C. § 3582(c)(2) is DENIED because in the exercise of my discretion I have determined that while the amendment applies, the relief requested is not warranted on the facts of this case.

DATED: December 7, 2012

/s/ Janet T. Neff

JANET T. NEFF

United States District Judge